

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DANIEL HARPER, : **CIVIL ACTION NO. 1:08-CV-2272**
:
Plaintiff : **(Judge Conner)**
:
v. :
:
JEFFERY BEARD, et al., :
:
Defendants :

ORDER

AND NOW, this 3rd day of February, 2009, upon consideration of *pro se* plaintiff's motion (Doc. 8), which seeks appointment of counsel to assist plaintiff in litigating the above-captioned case, and it appearing that resolution of plaintiff's claim under 42 U.S.C. § 1983 neither implicates complex legal or factual issues nor requires significant factual investigation or the testimony of expert witnesses, see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to a request for counsel), it is hereby ORDERED that:

1. Plaintiff's motion (Doc. 8) for appointment of counsel is DENIED. See Parham v. Johnson, 126 F.3d 454, 456-57 (3d Cir. 1997) (holding that prisoners have no constitutional rights to appointment of counsel in a civil case).
2. Should further proceedings demonstrate the need for counsel, the matter may be reconsidered either *sua sponte* or upon a motion by plaintiff. See Tabron, 6 F.3d at 156.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge